

October 24, 2011

Sabrina Forrest  
Site Assessment Manager  
U.S. Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202-1129


Dear Ms. Forrest,

We recently became aware that the United States EPA is in the process of turning Cement Creek and, perhaps, other areas into a Superfund Site. As residents of Silverton, Colorado, we strongly oppose EPA's efforts. (See attached list.)

Environmental issues in the Silverton area are a matter of local concern. As such, decisions as to how to address those issues should be made by residents who live and work in the area and who are in the best position to assess costs and benefits associated with local activities. We have a local stakeholder group (Animas River Stakeholders Group or ASRG) that is dedicated to addressing water quality and other environmental issues. The ASRG is committed to finding practical and cooperative solutions to existing water quality issues and is not handcuffed by the burdensome procedures and inflexible cleanup standards imposed upon EPA by Superfund. We would most adamantly rather see money go into the ground and not into the black hole of Superfund.

Please leave this matter to the ASRG and local citizens. They, and not the federal government, are in the best position to find sensible and cost effective solutions to this local issue.

Sincerely,

  
Ronald J. Renowden  
Barbara J. Renowden

### Superfund - Not the Right Vehicle

- Loss of Local Control: The problems associated with environmental conditions in the Animas Basin are inherently local in nature. Once a site is listed on the NPL, EPA assumes primary authority over cleanup priorities and methodologies. The ability for local stakeholders to make key decisions is significantly diminished once the area becomes a Superfund Site.
- Superfund is Inflexible: Superfund cleanup standards are stringent and inflexible. The statute provides no mechanism for taking the potential future land use of a site into account in determining the extent of cleanup that is required. The cost of cleaning up a site for unrestricted human use is often not proportional to the actual protection needed. This discourages voluntary cooperation in the cleanup process.
- The Superfund Cleanup Process is Burdensome and Inefficient: By statute, EPA is required to follow numerous expensive and time-consuming steps before cleanup can begin. This includes, but is not limited to, preparing a Remedial Investigation / Feasibility Study ("RI/FS"), Records of Decision addressing various potential alternatives, and Remedial Design / Remedial Action Plans. Each of these steps is burdensome. For example, the RI/FS phase requires scoping, site characterization, development of alternatives, screening of alternatives, treatability investigations and final detailed analysis. Money would be better spent "on the ground" rather than on these phases.
- Superfund is Expensive: Superfund is notoriously expensive. Private parties have the incentive and ability to complete remedial activities more efficiently than EPA.
- The Superfund Designation Will Discourage Voluntary Activities: Parties are less likely to engage in voluntary activities for fear of triggering Superfund liability.
- The Superfund Designation May Last a Lifetime and May Expand Geographically over Time: Once a site is listed on the NPL, it is uncertain as to how long the "Superfund" designation may last or whether additional areas will be added to the designation. For example, in the Coeur d'Alene Basin in Idaho, the initial NPL listing occurred in 1983 and began with the listing of a 21 square mile area. In 1988, the EPA expanded the site to encompass hundreds of square miles. The Superfund designation in the area remains and is expected to remain for many decades.
- Stigma: Land values often suffer once the "Superfund" tag is placed on an area.
- Superfund Designation will Discourage Development: Once designated, developers will consider the potential for their development to contribute to, impact on, or be impacted by contamination. Experience in other areas has been that superfund designation is followed by decline in economic development of the area.
- Superfund Triggers Litigation: Faced with large and uncertain liability associated with Superfund, potentially responsible parties typically protect themselves by hiring lawyers. Thus, rather than encouraging the funding of on-the-ground activities, Superfund encourages legal gridlock, cleanup delay, and enormous legal costs.

R

Ron & Barbara Renowden  
PO Box 195  
957 Cement St.  
Silverton, CO 81433



Sabrina Forrest  
Site Assessment Mgr  
US Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202-1129

8020251129



October 24, 2011

Jim P  
Howard the  
EPR -B  
Sabrina

James B. Martin  
Administrator – Region 8  
U.S. Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202-1129


Dear Mr. Martin,

We recently became aware that the United States EPA is in the process of turning Cement Creek and, perhaps, other areas into a Superfund Site. As residents of Silverton, Colorado, we strongly oppose EPA's efforts. (See attached list.)

Environmental issues in the Silverton area are a matter of local concern. As such, decisions as to how to address those issues should be made by residents who live and work in the area and who are in the best position to assess costs and benefits associated with local activities. We have a local stakeholder group (Animas River Stakeholders Group or ASRG) that is dedicated to addressing water quality and other environmental issues. The ASRG is committed to finding practical and cooperative solutions to existing water quality issues and is not handcuffed by the burdensome procedures and inflexible cleanup standards imposed upon EPA by Superfund. We would most adamantly rather see money go into the ground and not into the black hole of Superfund.

Please leave this matter to the ASRG and local citizens. They, and not the federal government, are in the best position to find sensible and cost effective solutions to this local issue.

Sincerely,

  
Ronald J. Renowden  
Barbara J. Renowden

RECEIVED  
U.S. EPA Region 8  
RA's Office

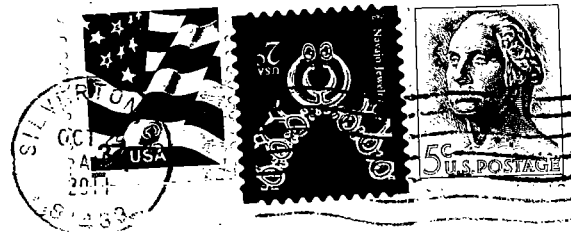
OCT 27 2011

### Superfund - Not the Right Vehicle

- Loss of Local Control: The problems associated with environmental conditions in the Animas Basin are inherently local in nature. Once a site is listed on the NPL, EPA assumes primary authority over cleanup priorities and methodologies. The ability for local stakeholders to make key decisions is significantly diminished once the area becomes a Superfund Site.
- Superfund is Inflexible: Superfund cleanup standards are stringent and inflexible. The statute provides no mechanism for taking the potential future land use of a site into account in determining the extent of cleanup that is required. The cost of cleaning up a site for unrestricted human use is often not proportional to the actual protection needed. This discourages voluntary cooperation in the cleanup process.
- The Superfund Cleanup Process is Burdensome and Inefficient: By statute, EPA is required to follow numerous expensive and time-consuming steps before cleanup can begin. This includes, but is not limited to, preparing a Remedial Investigation / Feasibility Study ("RI/FS"), Records of Decision addressing various potential alternatives, and Remedial Design / Remedial Action Plans. Each of these steps is burdensome. For example, the RI/FS phase requires scoping, site characterization, development of alternatives, screening of alternatives, treatability investigations and final detailed analysis. Money would be better spent "on the ground" rather than on these phases.
- Superfund is Expensive: Superfund is notoriously expensive. Private parties have the incentive and ability to complete remedial activities more efficiently than EPA.
- The Superfund Designation Will Discourage Voluntary Activities: Parties are less likely to engage in voluntary activities for fear of triggering Superfund liability.
- The Superfund Designation May Last a Lifetime and May Expand Geographically over Time: Once a site is listed on the NPL, it is uncertain as to how long the "Superfund" designation may last or whether additional areas will be added to the designation. For example, in the Coeur d'Alene Basin in Idaho, the initial NPL listing occurred in 1983 and began with the listing of a 21 square mile area. In 1988, the EPA expanded the site to encompass hundreds of square miles. The Superfund designation in the area remains and is expected to remain for many decades.
- Stigma: Land values often suffer once the "Superfund" tag is placed on an area.
- Superfund Designation will Discourage Development: Once designated, developers will consider the potential for their development to contribute to, impact on, or be impacted by contamination. Experience in other areas has been that superfund designation is followed by decline in economic development of the area.
- Superfund Triggers Litigation: Faced with large and uncertain liability associated with Superfund, potentially responsible parties typically protect themselves by hiring lawyers. Thus, rather than encouraging the funding of on-the-ground activities, Superfund encourages legal gridlock, cleanup delay, and enormous legal costs.

R

Ron & Barbara Renowden  
PO Box 195  
957 Cement St.  
Silverton, CO 81433



James B. Martin  
Adm - Region 8  
US Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202-1129

802021129



October 24, 2011

Howard Cantor  
Deputy Regional Administrator – Region 8  
U.S. Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202-1129

Dear Mr. Cantor,

We recently became aware that the United States EPA is in the process of turning Cement Creek and, perhaps, other areas into a Superfund Site. As residents of Silverton, Colorado, we strongly oppose EPA's efforts. (See attached list.)

Environmental issues in the Silverton area are a matter of local concern. As such, decisions as to how to address those issues should be made by residents who live and work in the area and who are in the best position to assess costs and benefits associated with local activities. We have a local stakeholder group (Animas River Stakeholders Group or ASRG) that is dedicated to addressing water quality and other environmental issues. The ASRG is committed to finding practical and cooperative solutions to existing water quality issues and is not handcuffed by the burdensome procedures and inflexible cleanup standards imposed upon EPA by Superfund. We would most adamantly rather see money go into the ground and not into the black hole of Superfund.

Please leave this matter to the ASRG and local citizens. They, and not the federal government, are in the best position to find sensible and cost effective solutions to this local issue.

Sincerely,



Ronald J. Renowden  
Barbara J. Renowden

RECEIVED  
U.S. EPA Region 8  
RA's Office

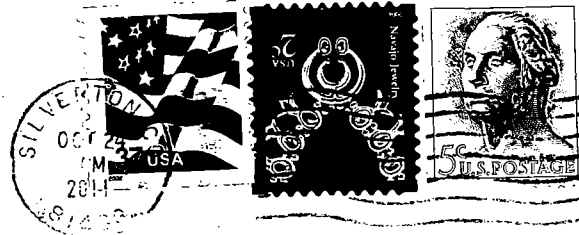
OCT 27 2011

### Superfund - Not the Right Vehicle

- Loss of Local Control: The problems associated with environmental conditions in the Animas Basin are inherently local in nature. Once a site is listed on the NPL, EPA assumes primary authority over cleanup priorities and methodologies. The ability for local stakeholders to make key decisions is significantly diminished once the area becomes a Superfund Site.
- Superfund is Inflexible: Superfund cleanup standards are stringent and inflexible. The statute provides no mechanism for taking the potential future land use of a site into account in determining the extent of cleanup that is required. The cost of cleaning up a site for unrestricted human use is often not proportional to the actual protection needed. This discourages voluntary cooperation in the cleanup process.
- The Superfund Cleanup Process is Burdensome and Inefficient: By statute, EPA is required to follow numerous expensive and time-consuming steps before cleanup can begin. This includes, but is not limited to, preparing a Remedial Investigation / Feasibility Study ("RI/FS"), Records of Decision addressing various potential alternatives, and Remedial Design / Remedial Action Plans. Each of these steps is burdensome. For example, the RI/FS phase requires scoping, site characterization, development of alternatives, screening of alternatives, treatability investigations and final detailed analysis. Money would be better spent "on the ground" rather than on these phases.
- Superfund is Expensive: Superfund is notoriously expensive. Private parties have the incentive and ability to complete remedial activities more efficiently than EPA.
- The Superfund Designation Will Discourage Voluntary Activities: Parties are less likely to engage in voluntary activities for fear of triggering Superfund liability.
- The Superfund Designation May Last a Lifetime and May Expand Geographically over Time: Once a site is listed on the NPL, it is uncertain as to how long the "Superfund" designation may last or whether additional areas will be added to the designation. For example, in the Coeur d'Alene Basin in Idaho, the initial NPL listing occurred in 1983 and began with the listing of a 21 square mile area. In 1988, the EPA expanded the site to encompass hundreds of square miles. The Superfund designation in the area remains and is expected to remain for many decades.
- Stigma: Land values often suffer once the "Superfund" tag is placed on an area.
- Superfund Designation will Discourage Development: Once designated, developers will consider the potential for their development to contribute to, impact on, or be impacted by contamination. Experience in other areas has been that superfund designation is followed by decline in economic development of the area.
- Superfund Triggers Litigation: Faced with large and uncertain liability associated with Superfund, potentially responsible parties typically protect themselves by hiring lawyers. Thus, rather than encouraging the funding of on-the-ground activities, Superfund encourages legal gridlock, cleanup delay, and enormous legal costs.

R

Ron & Barbara Renowden  
PO Box 195  
957 Cement St.  
Silverton, CO 81433



Howard Cantor  
Deputy Reg. Adm - Region 8  
US Environmental Protection Agency  
1595 Wynkoop St.  
Denver, CO 80202-1129

8020231129

